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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 RIGOBERTO GUERRA-SALCEDO, and
RAYMOND LEON RODRIGUEZ,
15 Defendants.
16

CASE NO. 2:20-CR-00089-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL
ACT; FINDINGS AND ORDER

DATE: October 18, 2021

TIME: 9:00 a.m.

COURT: Hon. William B. Shubb

17
18 **STIPULATION**

19 1. By previous order, this matter was set for status on October 18, 2021.

20 2. By this stipulation, defendants now move to continue the status conference
21 until February 14, 2022, and to exclude time between October 18, 2021, and February 14,
22 2022, under Local Code T4. The parties anticipate that they will be prepared for entry of
23 guilty plea or setting jury trial dates on February 14, 2022.

24 3. The parties agree and stipulate, and request that the Court find the
25 following:

26 a) The government has represented that the discovery associated with
27 this case includes investigative reports, photographs, and audio recordings. All of
28 this discovery has been either produced directly to counsel and/or made available

1 for inspection and copying.

2 b) Counsel for defendants desire additional time review the discovery,
3 conduct defense investigation, meet with their respective clients, and otherwise
4 prepare for trial in this matter.

5 c) Counsel for defendants believe that failure to grant the above-
6 requested continuance would deny them the reasonable time necessary for effective
7 preparation, taking into account the exercise of due diligence.

8 d) The government does not object to the continuance.

9 e) Based on the above-stated findings, the ends of justice served by
10 continuing the case as requested outweigh the interest of the public and the
11 defendant in a trial within the original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18
13 U.S.C. § 3161, et seq., within which trial must commence, the time period of
14 October 18, 2021 to February 14, 2022, inclusive, is deemed excludable pursuant to
15 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a
16 continuance granted by the Court at defendant's request on the basis of the Court's
17 finding that the ends of justice served by taking such action outweigh the best
18 interest of the public and the defendant in a speedy trial.

19 4. Nothing in this stipulation and order shall preclude a finding that other
20 provisions of the Speedy Trial Act dictate that additional time periods are excludable from
21 the period within which a trial must commence.

22 IT IS SO STIPULATED.

23
24 Dated: October 13, 2021

PHILLIP A. TALBERT
Acting United States Attorney

25
26 /s/ JUSTIN L. LEE
27 JUSTIN L. LEE
Assistant United States Attorney
28

1 Dated: October 13, 2021

/s/ JONATHAN GONZALES
JONATHAN GONZALES
Counsel for Defendant
Rigoberto Guerra-Salcedo


4 Dated: October 13, 2021

/s/ PHIL COZENS
PHIL COZENS
Counsel for Defendant
Raymond Rodriguez

8 **FINDINGS AND ORDER**

9 IT IS SO FOUND AND ORDERED.

10 Dated: October 14, 2021

11 
12 WILLIAM B. SHUBB
13 UNITED STATES DISTRICT JUDGE